IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

THURSDAY, THE 22ND NOVEMBER 2007 / 1ST AGRAHAYANA 1929

WP(C).No. 11895 of 2004(N)

PETITIONER:

K.RAVINDRAN NAIR, S/O.KARUNAKARAN NAIR,
AGED 44 YEARS, RESIDING AT T.C.14/2044,
KANCHEEPURAM, VANROSE JUNCTION, TRIVANDRUM,
WORKING AS SENIOR GRADE LECTURER IN GOVERNMENT
SANSKRIT COLLEGE, TRIVANDRUM.

BY ADV. SRI.J.S.AJITHKUMAR

RESPONDENTS:
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1. THE DISTRICT TREASURY OFFICER,
DISTRICT TREASURY, THIRUVANANTHAPURAM.

2. THE DIRECTOR OF TREASURIES,
TRIVANDRUM.

3. STATE OF KERLA,A REP.BY THE
PRINCIPAL SECRETARY, (FINANCE),
FINANCE DEPARTMENT, SECRETRIAT,
TRIVANDRUM.

4. KERALA STATE FINANCIAL ENTERPRISES,
REPRESENTED BY ITS MANAGING DIRECTOR,
TRIVANDRUM.

BY ADV. SRI.RAJU JOSEPH, ADDL.SC.,KSFE LTD.
GOVERNMENT PLEADER SMT. LATHA THANKAPPAN
SRI.T.NAVEEN, SC, K.S.F.E. LTD.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 22/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 11895/2004 N

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE LETTER OF THE MANAGER, KSFE LTD. TO THE R1 DT. 26/3/2002.

EXT.P2. COPY OF THE REQUISITION LETTER DT. 1/12/2003 OF THE SECRETARY PEROORKADA SERVICE CO-OP BANK LTD. NO. 1412.

EXT.P3. COPY OF THE LETTER OF THE SECRETARY, TRIVANDRUM DIST. GOVT. EMPLOYMENT CO-OP SO. LTD. NO. 43 TO THE R1 DT. 4/10/01.

EXT.P4. COPY OF THE REQUISITION LETTER OF THE SECRETARY, TRIVANDRUM GOVT. EMPLOYEES CO- OP SO. DT. 21/4/03 TO THE R1.

EXT.P5. COPY OF THE REPRESENTATION DT. 21/4/2003 BY THE PETITIONER BEFORE THE R2.

EXT.P6. COPY OF THE LETTER NO. E3. 4620/2003 DT. 26/4/2003 BY THE R2 TO THE PETITIONER.

EXT.P7. COPY OF THE JUDGMENT DT. 13/11/2003 IN WPC NO. 33930/2003 OF THIS COURT.

EXT.P8. COPY OF THE LETTER NO. 4015/RS/03-04 DT. 8/12/2003 BY THE SECY. TRIVANDRUM SERVICE CO-OP BANK LTD. TO THE R1.

EXT.P9. COPY OF THE LETTER NO. 1001/0163/COMPT DT. 14/1/4 SENT BY THE KSFE TO THE PETITIONER.

EXT.P10. COPY OF THE OBJECTION SLIP ISSUED BY THE R1.

EXT.P11. COPY OF THE STATEMENT OF FACTS FILED BY THE R1.

EXT.P12. COPY OF THE ORDER OF LOK AYUKTHA IN COMPLAINT NO. 1069/03 DT. 17/2/2004.

RESPONDENT'S EXHIBITS **NIL.**

True copy

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KURIAN JOSEPH J.

Writ Petition (Civil) No.11895 of 2004

Dated 22nd November, 2007.

J U D G M E N T

The writ petition is filed mainly with the following prayer :-

> "Issue a writ of mandamus, order or direction to the first respondent to release the salary of the petitioner after effecting the existing eligible recoveries expeditiously without any delay."

There is already an interim order dated 2.4.2004, which reads as follows:-

> "It is ordered that the recoveries that are proposed to be made on the requisitions made by the Kerala State Financial Enterprises, in respect of the salary of the petitioner, are to be kept in abeyance, and recoveries in respect of other requisitions alone may be permissible to be made from the salary that is payable to the petitioner. Salary may be disbursed, after taking notice of this direction, including arrears.
>
> This order will be in force for a period of three months. The salary admissible should be paid in one month's time."

In view of the intervening developments, in case the petitioner has still any grievance left, he may approach the third respondent, in which case, appropriate action in accordance with law in the matter will be taken, with notice to the petitioner, within another three months.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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